

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2631 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge? : NO

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BARODA MUNICIPAL CORPORATION

Versus

M B JAGTAP

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Appearance:

MR PRANAV G DESAI for Petitioner  
MRS DT SHAH for Respondent No. 1

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CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 21/09/2000

ORAL JUDGEMENT

#. Heard the Learned Counsels for the respective parties. This petition, under Articles 226 and 227 of the Constitution, seeks to challenge the award of the Industrial Tribunal Ahmedabad in Ref.(IT) No.666/84 whereby the respondent is ordered to be posted in his

original cadre of clerk and to be paid the consequential difference of wages and benefits. This impugned award was made on 29.9.1988.

#. It is stated at the bar that even before this impugned award the respondent was posted in the cadre of clerk and thereafter he is granted promotions also. Under such circumstances, the challenge to the impugned award does not survive and the petition has become infructuous. Therefore, the petition is dismissed with no order as to costs. Rule is discharged. Interim relief stands vacated.

kks